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OFFICE OF PETITIONS

In re Application of :
Iwanczyk, et al. :
Filed: January 3, 2001 : ON PETITION
Application No. 09/754,103 :
Docket No.: 020039000310 :

This is a decision on the petition under 37 CFR 1.137(b), filed July 15, 2004, to revive the above-identified application.

The petition under 37 CFR 1.137(b) is hereby GRANTED.

This application became abandoned June 10, 2003 for failure to timely file a proper response to the Office communication mailed May 9, 2003. The Office communication set a one (1) month shortened statutory period of time for response. No extensions of time in accordance with 37 CFR 1.136(a) were timely obtained. Notice of Abandonment was mailed November 18, 2003.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to paragraph (d) of this section.

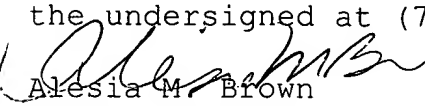
The instant petition has been reviewed and found in compliance with the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely reply to the Office communication mailed May 9, 2003 is accepted as having been unintentionally delayed.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the request for three month extension of time submitted herewith was filed

subsequent to the maximum period obtainable for reply, this fee is unnecessary. Petitioner may request a refund of the previously submitted \$1,005.00 extension of time fee by writing to the Finance Office, Refund Section. A copy of this decision should accompany any request for refund.

This application file is being forwarded to Technology Center 3700 for further processing.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 305-0310.


Alesia M. Brown
Senior Petitions Attorney
Office of Petitions